

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MATTHEW ALBRIGHT, Individually and  
on Behalf of All Others Similarly Situated,

Plaintiff,

v.

TERRAFORM LABS, PTE. LTD., JUMP  
TRADING LLC, DELPHI DIGITAL  
CONSULTING, INC., DO KWON,  
NICHOLAS PLATIAS, LUNA  
FOUNDATION GUARD LTD., JOSE  
MACEDO, KANAV KARIYA, and REMI  
TETOT,

Defendants.

Civil Action No. 1:22-cv-07281

Hon. Jed S. Rakoff

**AMENDED NOTICE OF MOTION**

PLEASE TAKE NOTICE that, Defendants Terraform Labs Pte. Ltd., Do Kwon, and Luna Foundation Guard Ltd., by their undersigned counsel, respectfully move, pursuant to Fed. R. Civ. P. 12(b)(1), 12(b)(2) and 12(b)(6), for an Order dismissing the Amended Class Action Complaint (ECF No. 42) for Violations of the Federal Racketeering Laws with prejudice and granting such other and further relief as this Court may deem just and proper.

This Motion is based on this Amended Notice of Motion, the Supplemental Brief filed concurrently herewith, Terraform Labs Pte. Ltd., Do Kwon, and Luna Foundation Guard Ltd.'s prior briefs, including: the Memorandum of Law filed December 5, 2022 (ECF No. 58), the pleadings and papers filed therein, the declaration of Douglas W. Henkin filed December 5, 2022 (ECF No. 59) and in support of the Motion, including the accompanying exhibits, the Reply Memorandum of Law filed December 28, 2022 (ECF No. 74), the declaration of Douglas W.

Henkin filed December 28, 2022 (ECF No. 75) in support of the Reply, including the accompanying exhibits, and upon such other and further matters as may be presented to the Court.

Dated: January 6, 2023

Respectfully submitted,

/s/ Douglas W. Henkin  
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Do Kwon, and Luna Foundation Guard Ltd.*